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FISCAL IMPACT REPORT

SPONSOR Picraux **DATE TYPED** 1/23/04 **HB** HJM4

SHORT TITLE Develop Crimes Against Children Teams **SB** _____

ANALYST Maloy

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY04	FY05	FY04	FY05		
			See Narrative	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From
Administrative Office of the Courts
Office of the Attorney General

SUMMARY

Synopsis of Bill

House Joint Memorial 7 states:

- the rate of child abuse in New Mexico is 10% higher than the national average;
- serious physical and sexual abuse of children do not have consistent system resolutions;
- child abuse victims deserve effective case management;
- comprehensive data collection systems facilitate reporting, investigation, prosecution and disposition of child abuse cases;
- national consensus indicates multidisciplinary approaches to intervention in child abuse cases improve the outcomes for victims and hold offenders accountable; and

- the New Mexico attorney General developed the New Mexico Crimes Against Children Task Force (“Task Force”) to study a comprehensive approach consisting of multidisciplinary teams.

The Memorial resolves:

- a multidisciplinary team be developed for each judicial district of the state;
- each team be comprised of:
 - a district attorney;
 - a representative of each law enforcement agency within the jurisdiction;
 - a representative of the CYFD protective services program;
 - a representative of the medical community;
 - a treatment provider;
 - victim advocate(s);
 - tribal representatives;
 - probation officers;
 - school representatives; and
 - representatives from other entities with an interest in children’s welfare;
- each multidisciplinary team meet at least one per month, adopt a formal protocol to investigate, prosecute and manage child abuse cases, and develop a tracking system for child abuse cases;
- the Task Force (established by the Attorney General) continue to include representation from all necessary professional fields and to act as a resource to the local multidisciplinary teams through developing a model protocol, collecting data and reviewing cases;
- the Task Force continue to provide annual legislative recommendations; and
- the Task Force be permitted to apply for and receive grants from public and private organizations.

Significant Issues

According to the Administrative Office of the Courts, several review and oversight mechanisms exist for child abuse and neglect cases in New Mexico that could work with the multi-disciplinary task force:

- The citizen review board makes recommendations to the children, youth and families department, the courts, and the legislature regarding statutes, policies and procedures relating to substitute care for children in the child abuse and neglect system (NMSA Section 32-8-4).
- Court Appointed Special Advocates (CASA) are charged with advocating for the best interest of abused and neglected children caught up in the court system, and to ensure that every child has a safe, supportive and permanent home.

- Ongoing since 1995, federal grant money under the auspices of the federal Omnibus Budget Reconciliation Act (also known as the Family Preservation and Support Act) has been awarded to the administrative office of the courts, on behalf of the state supreme court, to develop and manage the court improvement project, a comprehensive effort to assess and improve judicial proceedings related to child abuse and neglect, foster care, and adoption.
- The Chief Justice of the Supreme Court appointed a broadly based task force to coordinate the project. This task force – including judges, social workers, attorneys, treatment providers, and child and family advocates – is joined by many other “interested parties” in implementing the project’s initiatives.

FISCAL IMPLICATIONS

There is no appropriation contained within this Memorial.

ADMINISTRATIVE IMPLICATIONS

The Memorial will result in administrative costs (staff time and resources) to the participating agencies. However, the costs should be nominal and absorbed into existing resources within the participating agencies.

SJM/lg